

1625



Page 1 of 3

#9

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application : Jon Hangeland, et al.  
Serial No. : 09/868,889  
Filed : September 14, 2001  
For : NOVEL THYROID RECEPTOR LIGANDS  
AND METHODS II  
Examiner : K. Habte  
Attorney Docket : 102241-101  
Group Art Unit : 1625  
Confirmation No. : 6789

\*\*\*\*\*  
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on 15 AUG 2003.

By

Todd E. Garabedian, Ph.D.  
Registration No. 39,197  
Attorney for Applicant(s)

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.56, the Examiner is respectfully requested to consider the references cited on attached Form PTO-1449. A copy of each reference (if not previously submitted) is enclosed. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- [ ] 1. This Information Disclosure Statement is being filed within three months of the U. S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

- ☒ 2. This Information Disclosure Statement is being filed more than three months after the U. S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- ☐ a. Each item of information contained on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1); and no fee is required under 37 C.F.R. §1.17(p).
- ☐ b. No item of information cited on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2); and no fee is required under 37 C.F.R. §1.17(p).
- ☒ Please charge Deposit Account No. 23-1665 in the amount of \$240.00 in payment of the fee under 37 C.F.R. §1.17(p). Two additional copies of this Information Disclosure Statement are enclosed.
- ☐ A check in the amount of \$240.00 is attached hereto in payment of the fee under 37 C.F.R. §1.17(p).
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the Information Disclosure Statement be considered.
- ☐ a. Each item of information contained on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1).

- ☐ b. No item of information cited on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2).
- ☐ Please charge Deposit Account No. 23-1665 in the amount of \$130.00 in payment of the fee under 37 C.F.R. §1.17(i)(1). Two additional copies of this Information Disclosure Statement are enclosed.
- ☐ A check in the amount of \$130.00 is attached hereto in payment of the fee under 37 C.F.R. §1.17(i)(1).

The undersigned represents that the closest art of which he is presently aware has been cited herein and understands that this statement shall not be construed as a representation that no better art exists or that a thorough patentability search has been made.

The undersigned further represents that the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

Respectfully submitted,

JON HANGELAND, ET AL.

Date: 15 AUG 2003

By: Todd E. Garabedian

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INFORMATION DISCLOSURE LETTER

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The undersigned further represents that the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

1. International Patent No. WO 96/40048 A (KARO BIO AB) 19 December 1996 (1996-12-19).

2. United States Patent No. 4,741,897 (J. ANDREWS, ET AL.) 3 May 1988 (1988-05-03).
3. European Patent No. 0 580 550 (CIBA-GEIGY AG) 26 January 1994 (1994-01-26).
4. German Patent No. 32 31 541 A (HENNING BERLIN GMBH) 1 March 1994 (1994-03-01).
5. M. ADAMCZYK, ET AL: BIOCONJUGATE CHEM., vol. 8, no. 2, pages 133-145, XP000906993 (1997).
6. M. ANDRE, ET AL: J. CHROMATOGR. A, vol. 725, no.2 pages 287-294, XP004039616 (1996).
7. DATABASE CHEMABS [Online] CHEMICAL ABSTRACTS SERVICE, COLUMBUS, OHIO, US STN, CAPLUS accession no. 1971:540431, XP002139408 - & CHEMICAL ABSTRACTS, vol. 75, no. 23, 6 December 1971 (1971-12-06) Columbus, Ohio US; abstract no. 140431, XP002139407 & K. MASUDA ET AL: TAKEDA KENKYUSHO HO, vol. 29, no. 4, pages 545-552 (1970).

Applicants submit that copies of the above-cited references have been previously submitted to the United States Patent and Trademark Office by the International Bureau.

If the Examiner has any questions or feels that a discussion with Applicants' representative would expedite prosecution, the Examiner is invited and encouraged to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

JON HANGELAND, ET AL.

Date: 15 AUG 2003

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Todd E. Garabedian, Ph.D.  
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